

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

IN RE:)
)
EASTERN LIVESTOCK CO., LLC) CASE NO. 10-93904-BHL-11
)
)
Debtor.)

**AGREED MOTION TO CONTINUE HEARING ON MOTION TO QUASH OR
MODIFY THIRD AMENDED NOTICE OF DEPOSITION OF SEAN WHITE AND
SUBPOENA DUCES TECUM**

Hoover Hull LLP (“Special Counsel” or “Hoover Hull”), Special Counsel for James A. Knauer, Trustee of Eastern Livestock Co., LLC (“Eastern Livestock”) respectfully moves the Court to continue the hearing on the Motion to Quash or Modify Third Amended Notice of Deposition of Sean White and Subpoena Duces Tecum (“Motion to Quash”) and Superior Livestock Auction, Inc.’s (“Superior”) Response to Motion to Quash or Modify Third Amended Notice of Deposition of Sean White and Subpoena Duces Tecum (“Response”) currently scheduled for November 19, 2012. In support of this Motion, the Special Counsel states as follow:

1. On October 19, 2012, the Court set this matter for hearing on November 19, 2012.
2. Superior and the Estate have agreed to a settlement in this matter pending Court approval. If the settlement is approved, the Motion to Quash would be rendered moot.
3. In the interest of judicial efficiency, Special Counsel and Superior request that the Court continue the hearing set for November 19, 2012 on the Motion to Quash and Superior’s Response to December 17, 2012.
4. This motion is not made for purposes of undue delay, and no party will be prejudiced by the relief requested herein.

5. John Rogers, counsel for Superior, consents to the relief requested herein.

WHEREFORE, Hoover Hull LLP, Special Counsel for the Trustee of Eastern Livestock, James A. Knauer, respectfully requests the Court to enter an order continuing the hearing on the Motion to Quash Third Amended Notice of Deposition of Sean White and Subpoena Duces Tecum and grant all other relief just and proper.

Respectfully submitted,

/s/ John David Hoover
John David Hoover (#7945-49)
jdhooover@hooverhull.com
Hoover Hull LLP
111 Monument Circle, Suite 4400
P.O. Box 44989
Indianapolis, IN 46244-0989
Telephone: (317) 822-4400
Facsimile: (317) 822-0234

CERTIFICATE OF SERVICE

I hereby certify that on November 16, 2012, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to counsel of record through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

/s/ John David Hoover

641554_1/8728-1